### REMARKS/ARGUMENTS

#### **Amendments**

The specification is amended to correct the page numbering and several oversights that are grammatical, clerical or typographical in nature. Additionally, the claims are modified in the amendment. More specifically, claims 1, 5, 8, 11 and 14-20 have been amended; no claims have been canceled; and new claims 21 and 22 have been added. Therefore, claims 1-22 are present for examination. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

### 35 U.S.C. §112 Rejection

Claim 15 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 15-20 are amended to correct the typo that depended these claims on claim 15 rather than claim 14.

### **Drawing Objections**

The Office Action objects to Figs. 7A and 12. In the interests of furthering prosecution, the drawings are amended. A redline version is provided to accentuate the changes.

There is no description of Fig. 5F in the detailed description section of the application as filed. The above amendment adds that description to the detailed description in a manner fully supported by the drawing such that no new matter is added to the application.

## Abstract Objection

The undersigned is not familiar with a requirement that the dependent claims be reflected in the abstract. A review of the cited MPEP section was not helpful in resolving this

BEST AVAILABLE COPY

Appl. No. 09/773,250 Amdt. dated June 2, 2004 Reply to Office Action of April 6, 2004

confusion. There is concern that the dependent claims can be added to the abstract and still remain under 150 words as required by 37 CFR 1.72(b). Should this objection be maintained, clarification is respectfully requested.

# Claim Rejections, Cotton and McCormick et al.

The Office Action has rejected claims 1, 3 and 5-7 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,330,590 to Cotten (hereinafter "Cotten"). Further, the Office Action has rejected claims 2, 4 and 8-20 under 35 U.S.C. §103(a) as being unpatentable over Cotten in view of the cited portions of U.S. Patent No. 6,421,709 to McCormick et al. (hereinafter "McCormick").

In their current form, Applicants believe limitations from claims 1, 8 and 14 are neither taught nor suggested in the Cotton and McCormick references. More specifically, none of Cotton and McCormick reasonably teach or suggest locating portion steps that are influenced by the content of the electronic mail message as required by amended claims. Applicants respectfully request that the outstanding rejections be withdrawn for at least this reason.

### Missing Limitation: Locating Portions Based Upon Content

The claims require locating portions that are influenced by the content of the electronic message or submission. In this way, embodiments of the claimed invention are adaptive according to the particular electronic message. For at least this reason, reconsideration of amended claims is respectfully requested.

### **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is urged. Reconsideration of the claims in their current form is respectfully requested.

BEST AVAILABLE COPY

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Thomas D. Franklin Reg. No. 43,616

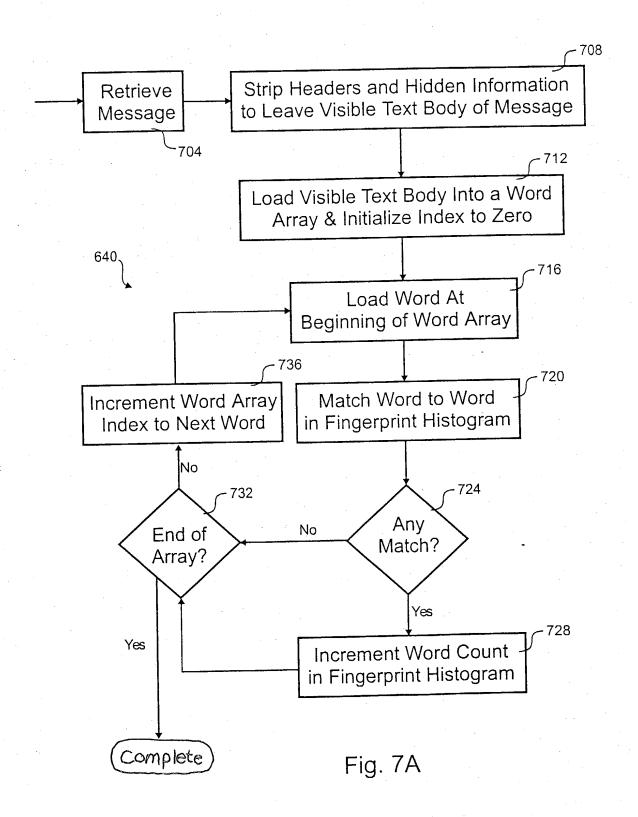
TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 303-571-4000

Fax: 415-576-0300 Attachments TDF:cmb

60195030 v1





Title: PROCESSING OF TEXTUAL ELECTRONIC
COMMUNICATION DISTRIBUTED IN BULK
Sheet 26 of 26

(Annotated Sheet Showing Changes)

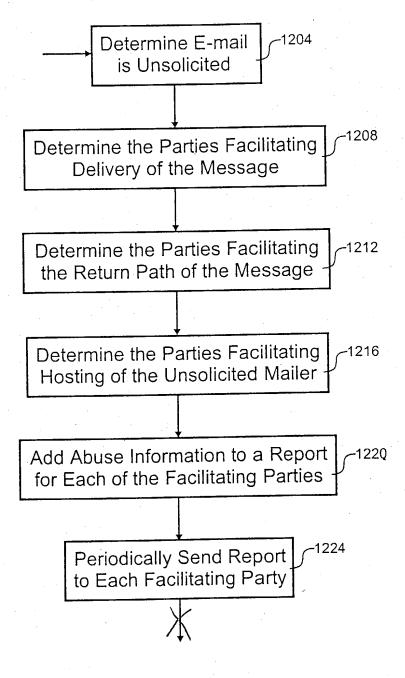


Fig. 12